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IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION NO. 167 /2002

Khirodhar Choudhary
Son of Shri Mohit Choudhary
Aged about 36 years, Vice-President
Saraipali, Resident of Village-Limgaon
Tahsil-Saraipali, Dist.Mahasamund : PETITIONER

Versus

1) State of Chhattisgarh
Through The Secretary
Panchayat & Gramin Vikas
D.K. Bhawan, Raipur : RESPONDENTS

2) The Collector,
Mahasamund

3) The Deputy Collector-cum
Presiding Officer
Mahasamund

4) The Chief Executive Officer
Janapad Panchayat-Saraipali
District:Mahasamund.

P. R. No. 190/02
Presented by Shri R. S. Tanwar
Dated 21.1.02

WRIT PETITION UNDER ARTICLES 226 & 227
OF THE CONSTITUTION OF INDIA

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक WP 167/2002 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	22/01/2002 :- Shri R.S. Jaiswal, learned counsel for the petitioner. Shri Deep Kesharwani, learned counsel for the State/respondents on advance copy. Heard. Counsel for the petitioner submits that the petitioner has received a notice of no confidence motion. As per the notice the meeting for no confidence motion is scheduled to take place on 24.1.2002. It is further submission of the counsel for the petitioner that one Nilamber who happens to be the husband of Ganga Moti has lodged a report against the present petitioner. So far as the allegation regarding detention of the petitioner is concerned, Shri Kesharwani learned counsel appearing for the State submits that the person who lodged the report has not been made as party	

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respondent. It is further his submission that the proper remedy under the Constitution of India and also the Code of Criminal Procedure is available to the person. According to the learned counsel for the petitioner, a representation has been made before the Competent Authority i.e. Collector vide annexure P-6 by one Prafulla Kumar Bhoi, Member, Janpad Panchayat, Saraipali.

Shri Kesharwani points out that the Superintendent of Police and the concerned Station House Officer have not been impleaded as party respondents and as such he could not seek the instructions in that regard. He however submits that if the proper reports are lodged with the authorities, action shall be taken in accordance with law.

Having thus considered the facts and circumstances of the case and material available on

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record this Court is of the opinion that it would be in the interest of justice to direct the respondents that if the petitioner makes any representation or lodges a report before the Collector/competent authority, the same shall be considered by the competent authority and appropriate action shall be taken in accordance with law. Thus the representation if any is made, it is directed that the Competent authority shall consider the same and take necessary action in accordance with law.

The authorities shall see that the over all law and order is properly maintained by the parties.

With the observations and directions made above, the petition stands disposed of at this stage

Certified copy as per rules.

Sd/-
Acting Chief Justice

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